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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

JANE DOE, f/k/a KRISTY ALTHAUS,
an individual,

Plaintiff,

v.

AYLO GLOBAL ENTERTAINMENT
INC., a Delaware corporation; AYLO
USA INCORPORATED, a Delaware
corporation; AYLO BILLING US
CORP., a Delaware corporation;
ETHICAL CAPITAL PARTNERS, a
foreign entity; MINDGEEK S.A.R.L., a
foreign entity; MG FREESITES, LTD.,
d/b/a "PORN HUB," a foreign entity;
MINDGEEK USA INCORPORATED,
a Delaware corporation; 9219-1568
QUEBEC, INC., a foreign entity; and
MG BILLING US CORP., a Delaware
corporation),

Defendants.

Case No. 2:23-cv-7488 MWF (AGR_x)

**PLAINTIFF'S NOTICE
OF RELATED CASES**

(Local Rule 83-1.3.1)

The Hon. Michael W. Fitzgerald

Trial Date: Not Set

1 TO THE HONORABLE COURT:

2 Plaintiff Jane Doe in the above-entitled case, by and through the undersigned
3 counsel, hereby provides notice of the following related cases currently pending
4 within the Central District of California pursuant to Local Rule 83-1.3.1:

5 1. *Jane Doe v. MindGeek USA Incorporated, et al.*, C.D. Cal. Case No.
6 8:21-cv-00338-CJC-ADS (filed February 19, 2021);

7 2. *Serena Fleites, et al. v. MindGeek S.A.R.L., et al.*, C.D. Cal. Case No.
8 2:21-cv-04920-CJC-ADS (filed June 7, 2021).

9 These three cases are related within the meaning of Local Rule 83-1.3.1
10 because the cases arise from the same or a closely related circumstance (L.R. 83-
11 1.3.1(a)), the cases call for determination of the same or substantially related or
12 similar questions of law and fact (L.R. 83-1.3.1(b)), and for other reasons would entail
13 substantial duplication of labor if heard by different judges (L.R. 83-1.3.1(c)). *Jane*
14 *Doe v. MindGeek USA Incorporated, et al.* and *Serena Fleites, et al. v. MindGeek*
15 *S.A.R.L., et al.* are already designated as related cases and coordinated before the
16 Honorable Judge Cormac J. Carney. This case should similarly be related to the
17 previous two. Plaintiffs in all three related cases filed actions in this court against the
18 MindGeek entity defendants for MindGeek's (now known as Aylo's) violations of
19 federal and state sex trafficking laws, as well as California privacy, publicity, and
20 common law.

21 **I. THE CASES ARISE FROM THE SAME OR A CLOSELY RELATED**
22 **CIRCUMSTANCE.**

23 All of the plaintiffs allege MindGeek knowingly profited from participation in
24 ventures which violated the federal Trafficking Victims Protection Reauthorization
25 Act (TVPRA, 18 U.S.C. § 1591) in a myriad of ways, including but not limited to, by
26 recruiting, commissioning, buying, creating, and advertising videos which MindGeek
27 knew, should have known, or recklessly disregarded were the product of sex
28 trafficking. All of the plaintiffs allege MindGeek chose to utilize and promote the sex

1 trafficking videos of the plaintiffs to maximize its profits, despite MindGeek’s actual
2 or constructive knowledge that the videos were obtained or distributed unlawfully.
3 All of the plaintiffs further allege MindGeek intended to deprive them of their
4 personal liberty by refusing to remove the unlawful videos from MindGeek’s online
5 platforms. As a result of MindGeek’s wrongful conduct, all of the plaintiffs allege
6 MindGeek was unjustly enriched from the plaintiffs’ exploitation, and the plaintiffs
7 suffered serious harm.

8 **II. THE CASES RAISE THE SAME OR SUBSTANTIALLY RELATED**
9 **OR SIMILAR QUESTIONS OF LAW AND FACT.**

10 All of the plaintiffs bring civil complaints for damages alleging identical or
11 substantially similar claims against the MindGeek defendants. All of the plaintiffs set
12 forth violations of law and claims for relief under state and federal anti-trafficking
13 laws, the TVPRA (18 U.S.C. §§ 1591(a), 1595) and the California Trafficking
14 Victims Protection Act (Cal. Civ. Code § 52.5), as well as claims for the unlawful
15 distribution of private sexually explicit materials (Cal. Civ. Code § 1708.85). In
16 addition, Plaintiff has numerous other overlapping claims with one or the other related
17 plaintiffs, including: (1) conspiracy claims (18 U.S.C. §§ 1594, 1595); (2) California
18 statutory misappropriation of name and likeness (Cal. Civ. Code § 3344); (3)
19 California common law misappropriation of name and likeness; (4) California
20 intrusion into private affairs; (5) California public disclosure of private facts; (6)
21 California false light; and (7) California intentional infliction of emotional distress.

22 The three cases will also involve common factual and legal issues. The
23 plaintiffs in all three cases allege MindGeek knowingly participated in ventures with
24 their sex traffickers by permitting—and promoting—sex trafficking videos on its
25 platform despite its ability to monitor and remove the unlawful content, as well as by
26 partnering with their traffickers in financial agreements and evading law enforcement.
27 The plaintiffs all further allege MindGeek knowingly benefitted from the ventures by
28 monetizing the sex trafficking videos through advertising, subscription services,

1 selling user data, and increasing web traffic to MindGeek's online platforms. All
2 three plaintiffs allege MindGeek's conduct was not only knowing, but malicious.
3 These cases will also similarly address whether MindGeek acted in conspiracy with
4 the plaintiffs' traffickers. Further, Plaintiff's case will similarly raise common
5 questions of law and fact regarding whether, in maintaining the plaintiffs' videos
6 online, MindGeek is liable for misappropriating the plaintiffs' likenesses and
7 violating their privacy rights. MindGeek will likely assert the same or similar
8 defenses in all three of these cases.


9
10 **III. THE CASES MUST BE RELATED TO AVOID THE RISKS OF**
11 **SUBSTANTIAL DUPLICATION OF LABOR AND INCONSISTENT**
12 **RULINGS.**

13 Assignment of the three cases to different judicial officers would likely entail
14 substantial duplication of labor because the legal and factual issues significantly
15 overlap. There will likely be similar discovery and motions practice on the same or
16 substantially similar issues. Therefore, all three cases and any future cases filed in
17 the Central District of California, involving the same or similar trafficking claims
18 against these defendants should be deemed related and assigned to the Honorable
19 Judge Cormac J. Carney. Doing so would also avoid inconsistent rulings on prior or
20 forthcoming motions in related disputes.

21 DATED: September 28, 2023

Respectfully submitted,

BOUCHER LLP

24 By: 
25 RAYMOND P. BOUCHER
26 AMANDA J.G. WALBRUN

27 *Attorneys for Plaintiff*

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